

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REQUEST FOR FILING CONTINUED PROSECUTION APPLICATION UNDER RULE 53(d)

BOX CPA

Pursuant to 37 CFR 1.53(d), please file a

☒ continuation/☐ divisional

Atty Dkt.: 620-73

C# M#

Date: December 30, 1999

Group: 1642

Examiner: Unger



of the pending prior PATENT APPLICATION of:

Inventor: **MacLEAN et al**

Serial No. 08/776,350

Filed: April 18, 1997

For: TREATMENT OF CANCER USING HSV MUTANT

Assistant Commissioner for Patents

Washington, DC 20231

Sir:

This request for filing under Rule 53(d) is made by the following named inventor(s) (using the above-identified title):

Inventor(s): **MacLEAN et al**

☐ Please delete the following inventors in the CPA:

Deleted persons:

☐ A new oath/declaration is attached for any newly named inventor(s).

☒ Priority is hereby claimed under 35 USC 119 based on the following foreign applications:

Application Number

9415320.2

PCT/GB95/01791

Country

United Kingdom

WO

Day/Month/Year Filed

29 July 1994

28 July 1995

☐ certified copy(ies) of foreign application(s)

attached or

☐ already filed on _____ in prior appln No. _____ filed _____

☒ already filed in PCT/GB95/01791 filed 28 July 1995

☒ Address all future communications to: Nixon & Vanderhye P.C., 1100 North Glebe Road, 8th Floor, Arlington, Virginia 22201.

☐ "Small entity" statement of record. ☐ "Small entity" statement attached.

☐ Please enter the previously unentered Rule 116 amendment filed on _____

☒ The Examiner's attention is directed to the prior art cited in the parent application by applicant and/or Examiner for the reasons stated therein.

☒ Please enter the attached and/or below Amendment prior to calculation of filing fee:

Attached

FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY HERewith CANCELED

| | | | | | |
|--------------------------------------------------------------------------------------------------|----|----------------------|---|------------|---------|
| Basic Filing Fee | | | | \$ | 690.00 |
| Total effective claims | 16 | - 20 (at least 20) = | 0 | x \$ 18.00 | \$ 0.00 |
| Independent claims | 2 | - 3 (at least 3) = | 0 | x \$ 78.00 | \$ 0.00 |
| If any proper multiple dependent claims now added for first time, add \$260.00 (ignore improper) | | | | \$ | 0.00 |

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) \$110.00/1 month; \$380.00/2 months; \$870.00/3 months; **\$1850/5 months** \$ 1850.00

SUBTOTAL \$ 2,540.00

If "small entity," then enter half (1/2) of subtotal and subtract

-\$ (0.00)

SECOND SUBTOTAL \$ 2,540.00

Assignment Recording Fee (\$40.00)

\$ 0.00

TOTAL FEE ENCLOSED \$ 2,540.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8th Floor
Arlington, Virginia 22201-4714
Telephone: (703) 816-4091
Facsimile: (703) 816-4100
BJS:rdw

NIXON & VANDERHYE P.C.

By Atty: B.J. Sadoff, Reg. No. 36,663

Signature: _____